

REMARKS

In the Office Action mailed on August 13, 2007 by the United States Patent and Trademark Office, the Examiner rejected claims 18-30. Claims 1-17 were previously cancelled. Claims 18 and 25 are the independent claims. Reconsideration is respectfully requested in light of the following remarks. The following remarks are believed to be fully responsive to the Office Action mailed August 13, 2007 and also render all currently pending claims at issue patentably distinct over the references of record.

I. REJECTIONS UNDER 35 USC 103

Claims 18-30 are rejected under 103(a) as allegedly being unpatentable over U.S. Pat. No. 7,000,187 to Messinger et al. (“Messinger”) in view of U.S. Pat. No. 6,633,801 to Durlacher et al. (“Durlacher”). The Applicants respectfully disagree.

Claim 18 recites, *inter alia*, displaying a first layout comprising the checklist, the checklist displayed on a first section of the display and including a plurality of tasks, at least one task capable of receiving user input, determining whether to display aircraft data related to a first task of the plurality of tasks, storing the first layout in a memory, if a determination is made to display the aircraft data related to the first task, displaying a second layout without user input comprising the checklist and the aircraft data related to the first task, if a determination is made to display the aircraft data related to the first task, the checklist displayed on the first section of the display and the aircraft data related to the first task displayed on a second section of the display, determining whether to display aircraft data related to a second task of the plurality of tasks, retrieving the stored first layout from the memory, if a determination is made not to display the aircraft data related to the second task, and displaying the stored first layout, if a determination is made not to display the aircraft data related to the second task, after displaying the second layout and without receiving a user input.

Claim 25 recites, *inter alia*, displaying a first layout comprising the main checklist, the main checklist displayed on a first section of the display and including a plurality of available checklists capable of receiving user input, displaying a second layout comprising an available checklist, upon receipt of a first user input, the available checklist displayed on a first section of the display and including a plurality of tasks capable of receiving user input,

determining whether to display aircraft data related to a first task of the plurality of tasks, storing the second layout in a memory, if a determination is made to display the aircraft data related to the first task, displaying a third layout without user input comprising the available checklist and the aircraft data, if a determination is made to display the aircraft data related to the first task, the available checklist displayed on the first section of the display and the aircraft data related to the first task displayed on a second section of the display, determining whether to display aircraft data related to a second task of the plurality of tasks, retrieving the stored first layout from the memory, if a determination is made not to display the aircraft data related to the second task, and displaying one of the first and the second layouts, if a determination is made not to display the aircraft data related to the second task, after displaying the third layout and without receiving a second user input.

Messigner discloses a software application that includes a list of task indications that are coupled to a GUI window, where a graphical overlay is positioned on top of the GUI window and coupled to it. See Abstract. A sequence of instructions associated with a respective task is displayed in the graphical overlay upon selection of a task indication by the user, and each instruction directs attention to a respective selectable graphical area in the GUI window. See id. The user operates a selector coupled to the GUI window, where after selecting a task, the selector is used to select graphical areas in response to the sequence of instructions. See id. Durlacher relates to a portable computer system that allows a pilot to efficiently and effectively manage time-oriented and other flight-related tasks that includes a microprocessor coupled to a display/input screen. See Abstract. The microprocessor, which includes or is coupled to a timer, executes one or more application programs that are configured to receive information from and display information to the pilot. See id. However, Durlacher is not prior art. In particular, Durlacher has a filing date of October 20, 2000, while the Applicants' application was filed before Durlacher, namely, on October 6, 2000.

Additionally, even assuming *arguendo* that Durlacher is prior art, neither Messigner nor Durlacher, either alone or in combination, discloses or suggests each and every element recited in claims 18 and 25. In particular, neither reference discloses or teaches displaying a first layout comprising the checklist, the checklist displayed on a first section of the display and including a plurality of tasks, at least one task capable of receiving user input, and displaying a second layout without user input comprising the checklist and the aircraft data

related to the first task, if a determination is made to display the aircraft data related to the first task, the checklist displayed on the first section of the display and the aircraft data related to the first task displayed on a second section of the display, as recited in claim 18. Additionally, nowhere is there disclosure of displaying a first layout comprising the main checklist, the main checklist displayed on a first section of the display and including a plurality of available checklists capable of receiving user input, displaying a second layout comprising an available checklist, upon receipt of a first user input, the available checklist displayed on a first section of the display and including a plurality of tasks capable of receiving user input, determining whether to display aircraft data related to a first task of the plurality of tasks, storing the second layout in a memory, if a determination is made to display the aircraft data related to the first task, displaying a third layout without user input comprising the available checklist and the aircraft data, if a determination is made to display the aircraft data related to the first task, the available checklist displayed on the first section of the display and the aircraft data related to the first task displayed on a second section of the display, as recited in claim 25.

At best, Messinger could show a checklist in a first section of a display and data related to aircraft in a second section of a display; however, the data related to the aircraft is never display on the first section of the display, as recited in both claims 18 and 25.

Examiner is well aware of the three basic criteria necessary to establish a *prima facie* case of obviousness. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine reference teachings. Second, there must be a reasonable expectation of success, and third, the prior art reference or references must teach or suggest all the claim limitations. The teaching or suggestion to make the combination and the reasonable expectation of success must both be found in the prior art, and not based on Applicants' disclosure. In Re Vaeck, 947 Fed. 2d 488, 20 USPQ 2d, 1438 (Fed. Cir. 1991). Here, Durlacher is not prior art. Additionally, Messinger, either alone or in combination with Durlacher, does not teach or suggest all the limitations of claims 18 and 25, and hence, dependent claims 19-24 and 26-30. Accordingly, the Applicants respectfully request withdrawal of these rejections.

II. CONCLUSION

Based on the above, independent Claims 18 and 25 are patentable over the citations of record. The dependent claims are also submitted to be patentable for the reasons given above with respect to the independent claims and because each recite features which are patentable in its own right. Individual consideration of the dependent claims is respectfully solicited.

None of the other art of record is understood to disclose or suggest the inventive concept of the present invention as defined by the claims.

Hence, Applicants submit that the present application is in condition for allowance. Favorable reconsideration and withdrawal of the objections and rejections set forth in the above-noted Office Action, and an early Notice of Allowance are requested.

If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the below-listed number.

If for some reason Applicants have not paid a sufficient fee for this response, please consider this as authorization to charge Ingrassia, Fisher & Lorenz, Deposit Account No. 50-2091 for any fee which may be due.

Respectfully submitted,

Dated November 12, 2007

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